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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/019,313	01/09/2002	Randolf Hugo	2174754USOPCT

EXAMINER	
Langel, Wayne A	
ART UNIT	PAPER NUMBER
1754	

DATE MAILED:

This is a communication from the examiner in charge of this application.

COMMISSIONER OF PATENTS AND TRADEMARKS

**NOTICE OF ALLOWABILITY**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

 This communication is responsive to the amendment of 10-28-03 The allowed claim(s) is/are 1-5, 8, 9 and 13-25 The drawings filed on \_\_\_\_\_ are acceptable as formal drawings. Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). All  Some\*  None of the: Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

 Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. ~~THE three month period for responding will be REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.41(e).~~

 Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED. Applicant MUST submit NEW FORMAL DRAWINGS because the originally filed drawings were declared by applicant to be informal. including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_. including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner. including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings.

 Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152
- Interview Summary, PTO-413
- Examiner's Amendment/Comment
- Examiner's Comment Regarding Requirement for the Deposit of Biological Material
- Examiner's Statement of Reasons for Allowance

Art Unit 1754

EXAMINER'S AMENDMENT

In accordance with a telephone conversation on January 8, 2004 with Mr. Mason for the applicant, the following changes were agreed upon to place the case in condition for allowance.

In claim 1, line 2, the phrase "further acidic gases, CO<sub>2</sub> and/or" has been deleted, and the phrase --at least one member selected from the group consisting of CO<sub>2</sub> and-- has been substituted therefor. In line 13, "a" (third occurrence) has been deleted and the word --and-- has been substituted therefor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne A. Langel whose telephone number is (571) 272-1353. The examiner can normally be reached on Monday through Friday from 8 A.M. to 3:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman, can be reached on (703) 308-3837. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-0994.

WAL:cdc

January 12, 2004

*Wayne A. Langel*  
WAYNE A. LANGE  
PRIMARY EXAMINER